

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

J & J SPORTS PRODUCTIONS, INC.,)	
)	
Plaintiff(s),)	No. C 09-2906 PJH (BZ)
)	
v.)	ORDER SCHEDULING DEFAULT
)	JUDGMENT HEARING
ZENAIDA BAUTISTA JUANILLO,)	
et al.,)	
)	
Defendant(s).)	
_____)	

It is **HEREBY ORDERED** that a hearing on plaintiffs' application for default judgment is scheduled for **Wednesday, December 2, 2009 at 10:00 a.m.** in Courtroom G, 15th Floor, 450 Golden Gate Avenue, San Francisco, California, 94102.

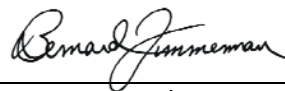
Compliance with 50 App. U.S.C. § 501 et seq. of the Servicemembers' Civil Relief Act may not be satisfied on information and belief. See 50 App. U.S.C. § 521(b)(1); United States v. Simmons, 508 F. Supp. 552 (E.D. Tenn. 1980)(interpreting 50 App. U.S.C. § 520(1), predecessor to 50 App. U.S.C. § 521(b)(1)). The public website <https://www.dmdc.osd.mil/scra/owa/home> will provide the

1 current active military status of an individual and has
2 instructions on obtaining certificates of service or non-
3 service under the Servicemembers' Civil Relief Act.

4 Plaintiff should be prepared to prove its damages by
5 competent testimony or other admissible evidence. Plaintiff
6 should note that to award statutory damages under 47 U.S.C. §§
7 605 and 553, the court must determine whether the violation
8 was willful, for financial gain, or repeated. If plaintiff
9 intends to prove damages by affidavits or declarations, the
10 affiant or declarant should have personal knowledge of all
11 matters to which he or she testifies. For all evidence,
12 proper foundations must be established. For an explanation of
13 the evidentiary requirements for proving damages in a default
14 case, the parties are encouraged to consult Chapter Six of
15 Civil Procedure Before Trial by William W. Schwarzer, A.
16 Wallace Tashima, and James M. Wagstaffe.

17 Defendant should attend the hearing if defendant contests
18 the validity or amount of plaintiff's claim. Seven days
19 before the hearing, on **Wednesday, November 25, 2009**, plaintiff
20 shall file a declaration setting forth in detail all steps
21 taken to serve defendant with notice of this hearing.

22 Dated: October 20, 2009

23 

24 Bernard Zimmerman
United States Magistrate Judge

25 G:\BZALL\REFS\J & J SPORTS PROD. V JUANILLO\ORDER SCHEDULING DEF. JUD.
26 HEARING.wpd
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